

The translation of matrimonial crisis dossiers in Spain and Ireland: a study on legal translation

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ABSTRACT

According to current theories, translation is not about transferring words from one language to another but about conveying ideas from one culture to another (Hönig y Kussmaul 1982, Vermeer 1986). Thus, as language is part of culture, cultural competence in translation is as important as linguistic competence. As a result, as Snell-Hornby (1988: 44) states, 'the translator must take account of the communicative function of the target text and the elements constituting the sociocultural situation in which it is produced'.

The main aim of this thesis is to explore the problems associated with legal translation in the specific area of the matrimonial crisis dossier, taking the legal, social and linguistic reality of Spain and Ireland as a referent. The approach taken is functionalist as far as Translation Theory is concerned and is also informed by Comparative Law and Comparative Textology.

As a means of achieving the general aim mentioned above, this thesis has been divided into two main parts. In the first part, the legal systems of Spain and Ireland and the legal traditions which inspire them (the Civil Law and the Common Law traditions, respectively) are described. The second part is devoted to Translation Studies, mainly focusing on Languages for Specific Purposes and legal language, specialised texts and legal texts, specialised translation and legal translation, language variation, legal discourse and textual typologies. Finally, an analysis is presented, in which all the different aspects discussed up to that point converge. This analysis aims to determine whether a specific model of textual typologies is useful when translating a series of texts from a corpus consisting of matrimonial crisis dossiers in the two legal systems.

KEYWORDS: comparative law, comparative textology, Ireland, legal translation, matrimonial crisis dossiers, Spain.

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